

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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SAMUEL MANNERS,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/7/08

Petitioner,

O R D E R

- against -

08 Civ. 3822 (NRB)
06 CR 1162 (NRB)

UNITED STATES OF AMERICA,

Respondent.

-----x
NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Petitioner's motion requesting appointment of counsel in his petition under 28 U.S.C § 2255 is denied at this time. Having examined the petition, I cannot conclude that petitioner has demonstrated a likelihood of success on the merits that would support the appointment of counsel or that a hearing will likely be necessary to resolve the issues presented. Thus, the application is denied without prejudice to reconsideration at a later time should future developments warrant a different result. See generally, Cooper v. A. Sargent Co., 877 F.2d 170, 172 (2d Cir. 1989).

SO ORDERED.

Dated: New York, New York
May 6, 2008



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Copies of the foregoing Order have been mailed on this date to the following:

Petitioner

Samuel Manners
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FCI Fort Dix
PO Box 2000
Fort Dix, NJ 08640